

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

TERRIE HOLSCHER,

Plaintiff,

vs.

KEN HESS and LORI HESS, in their  
individual capacities as co-landlords &  
owners of d/b/a/ Glacier Mountain  
Rentals,

Defendants.

CV 19-50-BU-BMM-KLD

ORDER

Defendants Ken Hess and Lori Hess have filed a motion to strike pro se Plaintiff Terrie Holscher's "Statement of Stipulated Facts" (Doc. 16) and "Joint Discovery Plan" (Doc. 17). Defendants move to strike both documents on the ground that Plaintiff filed them unilaterally, and did not communicate or consult with defense counsel.

On November 26, 2019, the undersigned issued Findings and Recommendation, recommending that Defendants' Rule 12 motion to dismiss for lack of subject matter jurisdiction and failure to state a claim for relief be granted and this case be dismissed. Accordingly,

IT IS ORDERED that Defendants' motion to strike (Doc. 19) is GRANTED. In the event presiding United States District Judge Brian Morris does not adopt the

undersigned's recommendation and dismiss this case with prejudice, the parties will have the opportunity to file their preliminary pretrial statements, joint discovery plan, and statement of stipulated facts before the preliminary pretrial conference, which is scheduled for January 16, 2020.

DATED this 26th day of November, 2019.

A handwritten signature in blue ink, reading "Kathleen L. DeSoto". The signature is written in a cursive, flowing style. The first letter "K" is large and prominent. The signature is positioned above a horizontal line.

Kathleen L. DeSoto  
United States Magistrate Judge